

Feb. 20, 2003

Documentary Services Division  
Attention: Docket Section, Room PL-101  
Docket No. OST-1996-1437  
Department of Transportation, SVC-124  
Washington, DC 20590

Dear Director,

I am writing to express my strong opposition to the Department of Transportation's proposed adoption of a system of records under the Privacy Act of 1974. Exempting such an extremely broad and vaguely-defined system of records from the Privacy Act (as proposed) eviscerates the Privacy Act's protections. By storing massive amounts of information about every air traveler, this system would violate privacy and erode other civil liberties – without increasing security or making the public safer.

The proposal uses open-ended terms like “associated information” and “proprietary information,” which essentially place no limits on the Category of Records being tracked. Given the volume of personal information being stored, the “safeguards” described in this proposal are woefully insufficient; this will inevitably lead to privacy violations on a massive scale – making the recent theft of medical data and other sensitive personal information held by TriWest Corporation of “only” 500,000 military people look small by contrast.

The Routine Uses described for this information will needlessly harm civil liberties. For example, the subjectivity and inaccuracy of many of the sources of this information (including public source information, proprietary data, and law enforcement information) could result in law-abiding people being denied the right to travel. Compounding the problem is that the proposed rule offers individuals inadequate Record Access Procedures, and no recourse for any type of infringement of their rights.

Rather than improving security, implementation of this rule would probably make us more vulnerable by miring security personnel in pointlessly scrutinizing innocent travelers.

Finally, at a time when other surveillance systems such as the Total Information Awareness Program are coming under heavy scrutiny by Congress, a rule such as this, governing the collection, storage, and disclosure of sensitive personal information about virtually every US citizen, should be exposed to a much wider discussion and debate.

For these reasons the proposed rule should be withdrawn.

Thank you for your time and the opportunity to voice my concerns.

Sincerely,  
S. Scott Hall